

BEFORE THE

## Federal Communications Commission

WASHINGTON, D.C.

FEB 11 2000

In the Matter of )

Amendment of Section 73.202(b) )

Table of Allotments )

FM Broadcast Stations )

(Osceola and Sedalia, Missouri) )

MM Docket No. 99-299

RM-9687

RM-9813

To: Chief, Allocations Branch

**OPPOSITION TO COUNTERPROPOSAL**

The Clair Group ("Clair"), licensee of KMFC(FM), Centralia, Missouri, Lake Area Educational Broadcasting Foundation ("Lake Area"), licensee of KCVJ(FM), Osceola, Missouri, and Bick Broadcasting Co. ("Bick"), licensee of KSDL(FM), Sedalia, Missouri (collectively, "Petitioners"), by the undersigned attorneys, hereby submit their Opposition to the Counterproposal filed by Bott Communications, Inc. ("Bott") on November 29, 1999 in the above-captioned proceeding.<sup>1</sup> Clair initiated this proceeding, with the agreement of Lake Area and Bick, proposing two channel substitutions by which all three Class A radio stations licensed to Clair, Lake Area and Bick that have been limited to operation at 3 kW will be able to increase to full Class A facilities and bring substantially improved service to the residents of three separate communities. As set forth in the *Notice of Proposed Rule Making* in this proceeding, Clair's proposal was as follows:

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<sup>1</sup> Bott's Counterproposal appeared on a Public Notice dated January 25, 2000 (Rep. No. 2385); however, due to inclement weather, the Commission was closed on January 25 and January 26, 2000, and the Public Notice was not released until January 27, 2000. Consequently, Clair's Opposition is timely-filed. See 47 C.F.R. §1.4.

	<u>Current</u>	<u>Proposed</u>
Osceola, Missouri	222A	262A
Sedalia, Missouri	221A	222A

Bott, in its Counterproposal, proposes that Channel 262A be allocated to Wheatland, Missouri, instead of Osceola, Missouri. Petitioners represent that a technical solution to the conflict exists in that Channel 262A can be allocated at Wheatland and Channel 285A can be allocated at Osceola to accommodate Petitioners' upgrade proposals. Accordingly, this assignment is respectfully requested. Moreover, Petitioners oppose the allocation of a frequency to Wheatland on the basis that Wheatland does not qualify as a community for allotment purposes.

**A. A Technical Solution to the Conflict Exists**

As Clair demonstrated in its initial Petition for Rule Making in this matter, Channel 285A can be allotted to Osceola, at KCVJ's existing transmitter site, in full compliance with the Commission's rules.<sup>2</sup> The reference coordinates for the Channel 262A allocation at Osceola differ from the coordinates of the KCVJ site. Accordingly, it is respectfully requested that Channel 285A be allocated to Osceola, which would permit KCVJ to upgrade at its existing site and leave Channel 262A available for Wheatland, should the need arise.

**B. Wheatland Does Not Qualify for a Local Service**

Should the Commission determine for any reason that Channel 285A cannot be allocated

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<sup>2</sup> Lake Area requested that the Petition for Rule Making be amended to specify Channel 262A, instead of Channel 285A to accommodate an upgrade by KGAR, Garden City, Missouri. As the channel spacing study attached hereto as Attachment A demonstrates, Channel 285A remains available for allotment at Osceola, except for the vacant allocation on Channel 286C1 reserved for KGAR listed on page 4 of the study. The construction permit has been issued for that station, *see* FCC File No. BMPH-990816IC which is listed on page 2 of the study, and there is no short-spacing as issued.

to Osceola for use by KCVJ, Channel 262A should be made available for KCVJ and Bott's Counterproposal should be denied. To qualify as a community for allotment purposes, the Commission requires that such community comprise a "geographically identifiable population grouping."<sup>3</sup> This requirement is generally presumed if a proposed community is incorporated or listed as a census designated place.<sup>4</sup> This presumption can be rebutted, however, where, as here, the "community" lacks the requisite political, commercial, social and religious organizations and services of a bona fide community.<sup>5</sup> According to Bott, Wheatland is both incorporated and listed in the U.S. Census.<sup>6</sup> Nevertheless, it does not possess sufficient indicia of a community for allotment purposes.

As Bott states in its Counterproposal, Wheatland is a very small area with a population of only 363 people occupying just one square kilometer.<sup>7</sup> According to information obtained from Wheatland City Hall, Wheatland does not have its own police force or hospital and most of Wheatland's working-age residents travel to the community of Bolivar to work and to do most of their shopping. The meager evidence submitted with Bott's Counterproposal bears this out. The 35 businesses identified by Bott as being in Wheatland are mostly "Mom & Pop" businesses which do not even appear to provide the few residents of Wheatland with basic necessities such

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<sup>3</sup> *Revision of FM Channel Policies/Procedures*, 90 FCC 2d 88, 101, 51 RR 2d 807, 816 (1982).

<sup>4</sup> *Id.*

<sup>5</sup> *See New South Broadcasting Corporation v. FCC*, 879 F.2d 867 (D.C. Circuit 1989); *Reeder v. FCC*, 865 RR 2d 1298 (1989).

<sup>6</sup> *See* Engineering Statement attached to Bott's Counterproposal.

<sup>7</sup> *Id.*

as a supermarket, drug store or clothing stores.<sup>8</sup> Similarly, Bott provides no evidence of the existence of civic organizations such as the Lions Club, or economic development organizations such as a Chamber of Commerce. Furthermore, the nature and size of the few commercial entities identified by Bott make it unlikely that these establishments would or could advertise extensively on the radio. Therefore, Wheatland would be incapable of establishing its own advertising market and should not be allotted Channel 262A.<sup>9</sup>

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<sup>8</sup> According to the information provided by Bott, Wheatland provides one school, 35 small businesses, most of which are gift shops which appear to be aimed at tourists to the Ozarks region, and two "tourist attractions," one of which is a camp site. In contrast, Bolivar has several major employers, including a hospital, shopping centers, including a Wal-Mart, an airport, several banking institutions, several churches, and a local newspaper. (See Attachment B). Thus, Wheatland is not independent of Bolivar, and therefore does not qualify as a community for allotment purposes. See *Faye and Richard Tuck* ("Tuck"), 3 FCC Rcd 5374 (1988); *RKO General*, 5 FCC Rcd 3222 (1990). To determine whether a suburban community is independent from a central city, the Commission looks at the extent to which community residents work in the larger metropolitan area, rather than the specified community; and whether the smaller community has its own newspaper, government and elected officials, police force, schools, hospitals, and commercial establishments, or whether the residents of the community rely on the larger metropolitan area for such services. *Tuck* at ¶ 35-40. Where the Commission finds that the proposed city is actually interdependent with another city, the proposed city will not be entitled to a first local service preference.

Even if the Commission determines that Wheatland does constitute a community for allotment purposes, it should refrain from granting it a first local service preference. The Commission has done this in its "quiet village doctrine" cases where it has held that a community's "lack of need for coverage of local issues may not outweigh the need for a competitive service elsewhere." *Northweye, Missouri*, 7 FCC Rcd 1449, n.14 (1992). The same holds true in this case. Wheatland's lack of need for coverage of local issues does not outweigh the public interest benefits of providing the much larger communities of Centralia, Osceola and Sedalia with radio stations with full Class A facilities able to compete effectively in their markets and provide better coverage to the area.

<sup>9</sup> In addition, Wheatland appears to be well served by other radio stations. According to the Wheatland City Hall, Springfield, Missouri radio stations are heard in Wheatland. In addition, a search on the MIT List of Radio Stations on the Internet website shows at least two radio stations in close listening range of Wheatland. They are KYOO-FM at Half Way and KCVJ at Osceola. (See Attachment C). Accordingly, the Commission should find that coverage in Wheatland is sufficient. See *Chehalis, Washington and Tillamook, Oregon*, 1998 FCC LEXIS (continued...)

**Conclusion**

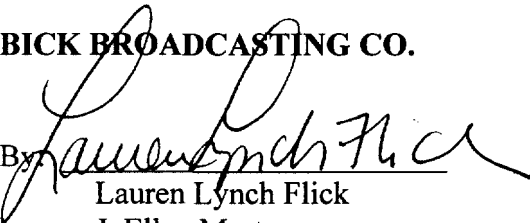
For the foregoing reasons, it is respectfully requested that Bott's Counterproposal be dismissed and that Clair's channel substitution proposal, as amended herein, be granted.

Respectfully submitted,

**THE CLAIR GROUP**

**LAKE AREA EDUCATIONAL  
BROADCASTING FOUNDATION**

**BICK BROADCASTING CO.**

By   
Lauren Lynch Flick  
JoEllen Masters

Their Attorneys

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(202) 659-3494

Dated: February 11, 2000

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<sup>9</sup>(...continued)

5316 (1998) where the Commission considered the much larger communities of Chehalis, Washington (Population: 6,527) and Tillamook, Oregon (Population: 4,001) to be well-served as both communities had at least five full-time reception services.

## Attachment A

**Dataworld, Inc.**  
**Bethesda, MD**

Page 1  
Friday, February 11, 2000

Dataworld FM Channel Study

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**Job Title: Oceola, MO**

Channel(s):	285 A
Coordinates:	N 38° 02' 12.0" W 93° 34' 47.0"
Safety Zone:	30.0 km (18.6 mi)
FM Translators included	

Dataworld FM Spacing Study

**Title: Oceola, MO**

Channel: 285 A (104.9 MHz)

Database: DW 2/10/2000 5:28:17 PM

Latitude: N 38° 02' 12.0"  
Longitude: W 93° 34' 47.0"  
Safety Zone: 30.0 km

Call	Auth	Licensee name	Chan	HAAT(m)	ERP	Latitude	Br-to	Dist	Req
City of License		St	FCC File Number	Freq	HAMSL(m)	Longitude	-from	(km)	(km)
KFKF-FM	Lic	EZ Kansas City, Inc.	231 C	303.3	100 H	N 39° 00' 57.0"	323.8	135.5	29.00
Kansas City		KS	BLH-870507LI	94.1	576.7	W 94° 30' 24.0"	143.2	106.5	CLEAR
KATI	Lic	CMB II, Inc.	232 C2	150.0	50 H	N 38° 31' 25.0"	61.8	116.0	15.00
California		MO	BLH-951013KA	94.3	376.0	W 92° 24' 25.0"	242.5	101.0	CLEAR
KBEQ-FM	Lic	EZ Kansas City, Inc.	282 C	301.0	100 H	N 39° 04' 59.0"	326.3	140.2	95.00
Kansas City		MO	BLH-850813KT	104.3	561.0	W 94° 28' 49.0"	145.8	45.19	CLEAR
ALLOC			283 A	0.0	0 H	N 37° 55' 01.0"	94.7	146.3	31.00
Doolittle		MO	104.5	0.0	0 V	W 91° 55' 18.0"	275.7	115.3	CLEAR
SITE RESTRICTION 2.8 MI SW									
KVCY	Lic	VCY America, Inc.	*284 C3	125.0	16 H	N 37° 52' 43.0"	260.4	102.0	89.00
Fort Scott		KS	BLD-970929KE	104.7	391.0	W 94° 43' 24.0"	79.7	13.03	CLOSE
KKLH	App	KOSP, LP	284 C2	181.0	34 H	N 37° 12' 21.0"	147.1	109.8	106.0
Marshfield		MO	BPH-980313ID	104.7	631.0	W 92° 54' 20.0"	327.5	3.752	CLOSE
KKLH	Lic	KOSP, LP	284 C2	177.0	35 H	N 37° 12' 12.0"	147.1	110.1	106.0
Marshfield		MO	BLH-940603KA	104.7	628.0	W 92° 54' 14.0"	327.5	4.067	CLOSE
KRES	Lic	KWIX, Inc.	284 C	331.3	100 H	N 39° 27' 35.0"	25.4	175.4	165.0
Moberly		MO	BLH-830124BA	104.7	526.1	W 92° 42' 06.9"	206.0	10.44	CLOSE
K285EM	Lic	Lake Area Educational Broadcasti	285 FT	21.0	0.25 H	N 38° 25' 54.0"	342.4	46.03	115.0
Clinton		MO	BLFT-950927TV	104.9	309.1	W 93° 44' 23.0"	162.3	-69.0	SHORT
Primary station: KCVO-FM Camdenton, MO									
K285ER	Lic	Board of Regents of Central Miss	285 FT	165.0	0.062 H	N 38° 09' 25.0"	80.7	85.77	115.0
Osage Beach		MO	BLFT-981013TK	104.9	391.0	W 92° 36' 50.0"	261.3	-29.2	SHORT
License granted 12/29/98 per 44400-1/4/99; Primary station: KCMW-FM Warrensburg, MO									
KOSP	Lic	KOSP, LP	286 C2	150.0	50 H	N 37° 01' 08.0"	176.8	113.1	106.0
Willard		MO	BLH-940602KB	105.1	536.1	W 93° 30' 31.0"	356.9	7.133	CLOSE
KGAR	CP	Jesscom, Inc.	287 C1	299.0	100 H	N 39° 01' 19.0"	323.7	136.4	75.00
Garden City		MO	BMPH-990816IC	105.3	578.0	W 94° 30' 50.0"	143.1	61.37	CLEAR
One step application to change from class A									
KESM-FM	Lic	Wildwood Communications, Inc.	288 A	57.3	6 H	N 37° 51' 51.0"	243.5	42.78	31.00
Eldorado Springs		MO	BMLH-921014KA	105.5	319.1	W 94° 00' 54.0"	63.2	11.78	CLOSE

>> End of channel 285 A study <<



**Dataworld, Inc.**  
**Bethesda, MD**

Page 3  
Friday, February 11, 2000

Dataworld FM Spacing Study

**Title: Ocala, MO**

Channel: 285 A (104.9 MHz)  
Database: FCC 12/27/1999 12:00:00 AM

Latitude: N 38° 02' 12.0"  
Longitude: W 93° 34' 47.0"  
Safety Zone: 30.0 km

Call	Auth	Licensee name	Chan	HAAT(m)	ERP	Latitude	Br-to	Dist	Req
City of License		St	FCC File Number	Freq	HAMSL(m)	Longitude	-from	(km)	(km)
ALLOC	USED			231 C		N 39° 00' 57.0"	323.8	135.5	29.00
Kansas City		KS		94.1		W 94° 30' 24.0"	143.2	106.5	CLEAR
Coordinates updated from LIC record BLH870507LI									
ALLOC	USED			232 C2		N 38° 26' 00.0"	65.9	109.6	15.00
California		MO		94.3		W 92° 26' 00.0"	246.6	94.60	CLEAR
Effective 4-30-93-Reserved for KZMOFM per D91-181									
ALLOC	USED			282 C		N 39° 04' 59.0"	326.3	140.2	95.00
Kansas City		MO		104.3		W 94° 28' 49.0"	145.8	45.19	CLEAR
Coordinates updated from LIC record BLH850813KT									
ALLOC	VACA			283 A		N 37° 55' 01.0"	94.7	146.3	31.00
Doolittle		MO		104.5		W 91° 55' 18.0"	275.7	115.3	CLEAR
Site Restricted-Effective 4-3-92									
KVCY	LIC	VCY America, Inc.		284 C3	125.0	N 37° 52' 43.0"	260.4	102.0	89.00
Fort Scott		KS	BLED-970929KE	104.7	391.0	W 94° 43' 24.0"	79.7	13.03	CLOSE
Commercial Channel Operating Educational									
ALLOC	USED			284 C3		N 37° 52' 45.0"	260.4	102.0	89.00
Fort Scott		KS		104.7		W 94° 43' 25.0"	79.7	13.04	CLOSE
Reserved For KVCY Per One-Step Construction Permit BPH-951106IA									
ALLOC	USED			284 C2		N 37° 13' 20.0"	146.5	108.2	106.0
Marshfield		MO		104.7		W 92° 54' 20.0"	327.0	2.224	CLOSE
Site Restricted-Effective 12-21-87-Reserved for KTOZFM per D86-302									
KKLH	CP	KOSP Limited Partnership		284 C2	181.0	N 37° 12' 21.0"	147.1	109.8	106.0
Marshfield		MO	BPH-980313ID	104.7	631.0	W 92° 54' 20.0"	327.5	3.752	CLOSE
KKLH	LIC	KOSP Limited Partnership		284 C2	177.0	N 37° 12' 12.0"	147.1	110.1	106.0
Marshfield		MO	BLH-940603KA	104.7	628.0	W 92° 54' 14.0"	327.5	4.065	CLOSE
ALLOC	USED			284 C		N 39° 27' 35.0"	25.4	175.4	165.0
Moberly		MO		104.7		W 92° 42' 07.0"	206.0	10.44	CLOSE
Coordinates updated from LIC record BLH830124BA									
KRES	LIC	KWIX, Inc.		284 C	311.0	N 39° 27' 35.0"	25.4	175.4	165.0
Moberly		MO	BLH-830124BA	104.7	526.0	W 92° 42' 07.0"	206.0	10.44	CLOSE
KRES	LIC	KWIX, Inc.		284 C	157.0	N 39° 24' 11.0"	32.9	181.6	165.0
Moberly		MO	BLH-981026KE	104.7	405.0	W 92° 25' 57.0"	213.6	16.55	CLEAR
KRES	LIC	KWIX, Inc.		284 C	146.0	N 39° 24' 11.0"	32.9	181.6	165.0
Moberly		MO	BLH-960718KA	104.7		W 92° 25' 57.0"	213.6	16.55	CLEAR

\*\* This record is for an AUXILIARY facility of KRES, Moberly, MO. \*\*

Dataworld FM Spacing Study

**Title: Oceola, MO**

Channel: 285 A (104.9 MHz)

Database: FCC 12/27/1999 12:00:00 AM

Latitude: N 38° 02' 12.0"

Longitude: W 93° 34' 47.0"

Safety Zone: 30.0 km

Call	Auth	Licensee name	Chan	HAAT(m)	ERP	Latitude	Br-to	Dist	Req
City of License		St	FCC File Number	Freq	HAMSL(m)	Longitude	-from	(km)	(km)
PRM	DEL	The Clair Group	285 A			N 38° 02' 12.0"	0.0	0.000	115.0
Osceola		MO	RM-9687	104.9		W 93° 34' 47.0"	0.0	-115	SHORT
The Clair Group. Drop-in allotment proposal.									
PRM	ADD	The Clair Group	285 A			N 38° 03' 00.0"	278.0	10.66	115.0
Osceola		MO	RM-9687	104.9		W 93° 42' 00.0"	98.0	-104	SHORT
The Clair Group. Drop-in allotment proposal.									
K285EM	LIC	Lake Area Educational Broadcasti	285 D	21.0	0.25 H	N 38° 25' 54.0"	342.4	46.03	115.0
Clinton		MO	BLFT-950927TV	104.9	309.0	0.25 V	W 93° 44' 23.0"	162.3	-69.0
Translator for KCVOFM, Camdenton, MO.									
K285ER	LIC	Board of Regents Central Missour	285 D	165.0	0.062 H	N 38° 09' 25.0"	80.7	85.77	115.0
Osage Beach		MO	BLFT-960422TD	104.9	391.0	0.062 V	W 92° 36' 50.0"	261.3	-29.2
Translator for KCMWFM, Warrensburg, MO.									
ALLOC	USED		286 C2			N 37° 19' 35.0"	177.9	78.89	106.0
Willard		MO	105.1			W 93° 32' 47.0"	357.9	-27.1	SHORT
Site Restricted-Effective 3-3-89-Reserved for applicants filing for Ch263A; per D87-474									
KOSP	LIC	KOSP Partnership	286 C2	150.0	50 H	N 37° 01' 08.0"	176.8	113.1	106.0
Willard		MO	BLH-940602KB	105.1	536.0	50 V	W 93° 30' 31.0"	356.9	7.133
CLOSE									
ALLOC	VACA		286 C1			N 38° 52' 24.0"	318.7	124.4	133.0
Garden City		MO	105.1			W 94° 31' 39.0"	138.1	-8.62	SHORT
Reserved for KGAR per one-step application BMPH-990816IC									
KGAR	APP	Jesscom, Inc.	286 C1	299.0	100 H	N 39° 01' 19.0"	323.7	136.4	133.0
Garden City		MO	BMPH-990816IC	105.1	578.0	100 V	W 94° 30' 50.0"	143.1	3.372
one-step application-From channel 287A									
ALLOC	USED		287 A			N 38° 33' 49.0"	317.5	79.67	31.00
Garden City		MO	105.3			W 94° 11' 53.0"	137.2	48.67	CLEAR
Site Restriction 0.6km West-Effective 6-16-97 per D97-53									
ALLOC	USED		288 A			N 37° 51' 51.0"	243.5	42.78	31.00
El Dorado Springs		MO	105.5			W 94° 00' 54.0"	63.2	11.78	CLOSE
Coordinates updated from LIC record BLH850228LM									
KESM-FM	LIC	Wildwood Communications, Inc.	288 A	57.0	6 H	N 37° 51' 51.0"	243.5	42.78	31.00
El Dorado Springs		MO	BMLH-921014KA	105.5	319.0	6 V	W 94° 00' 54.0"	63.2	11.78
CLOSE									

>> End of channel 285 A study <<

## Attachment B

## BOLIVAR COMMUNITY PROFILE

### EDUCATION

•Public Schools: Bolivar R-1 Schools (Classification 3A), (417) 326-5291

Type/Grade	Administrators	Teachers	Enrollment
Primary (K-2)	2	43	532
Intermediate (3-5)	2	31	533
Middle (6-8)	2	40	508
High School (9-12)	2	48	642
Exceptional/Handicapped	1	22	17
Parents As Teachers	1	6	

•Area Vocational Schools: Dallas County Area Vo-Tech, (417) 752-3491

•Area Colleges and Universities

Southwest Baptist University*	Bolivar
Southwest Missouri State University	Springfield
Drury College	Springfield

\*Enrollment: 3,500, NCAA Division II: MIAA Conference

•Private Schools:

Type	Number	Teachers	Enrollment
K-12	1	5	25
K-5	1	3	30

### RECREATION & ENTERTAINMENT

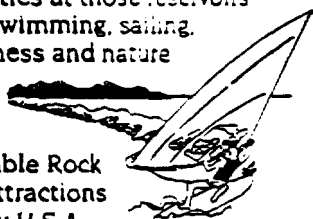
•Number of recreation facilities in city or within 10 miles: Public swimming pools, 1; public tennis courts, 10; public golf course, 1; private country club with golf course and swimming pool, 1; indoor swimming pools, 1; public parks, 2; fitness centers, 1.

•Other facilities or special features: movie theaters, bowling, baseball/softball (2 complexes), Dunnegan Art Gallery, one historical museum and a Community Concert Association.

•Access to both Stockton and Pomme de Terre lakes is available within 15 miles. Activities at those reservoirs include boating, water skiing, swimming, sailing, fishing, camping and hiking, fitness and nature trails.

Other major reservoirs accessible in about one hour of driving time include Truman, Table Rock and Lake of the Ozarks. Other attractions include a skating rink, Speedway U.S.A., and Snow Bluff snow skiing, a short drive to the south.

•Bolivar offers several dining opportunities which provide a diverse choice of menus. Shoppers will find a pleasant variety of stores from small, quaint shops to the larger retail establishments. The items they market in common include friendly, personalized service and a commitment to customer satisfaction.



### LABOR

Civilian labor force*	11,890
Total employment	11,318
Unemployed	572
Unemployed as % of work force	4.8
Nonagricultural employment	5,436
Manufacturing employment	853
Manufacturing average wage	346.40 / week
Nonmanufacturing employment	4,583
Nonmanufacturing average wage	386.49 / week

\*Estimate - Missouri Division of Employment Security.  
Figures from 12 months ending February, 1993.

### MAJOR EMPLOYERS

	No. Employees	Union
Citizens Memorial Hospital Foundation		
Full service health care system	1,500	None
Wal-Mart Super Center	380	None
Southwest Baptist University		
4-year liberal arts univ.	285	None
Bolivar R-1 Schools		
Grades K-12	280	None
Teters Floral Products		
Mfg./Dist. artificial flowers	250	None
Tracker Marine		
Boat manufacturing	225	None
AMS Rating		
Computer software	150	None
Bolivar-Tees		
Manufacturing T-shirts	80	None
Southwest Electric Cooperative		
REA electric service	75	None
ALLTEL Missouri		
Telephone & cable T.V. service	42	None
Polk County Bank	42	None
HSH Farm Products		
Farm products manufacturing	41	None
Commerce Bank	29	None
Empire District Electric Co.		
City electricity	27	Yes
L&K & Son		
Furniture upholstery & draperies	18	None
Bank of Bolivar	15	None
Mercantile Bank	14	None

Work stoppages during the past five years: None

Bolivar Area Chamber of Commerce  
454 South Springfield, P.O. Box 202  
Bolivar, Missouri 65613  
417/326-4118

## BOLIVAR COMMUNITY PROFILE

### •Trash removal

Services are available through a private company.

### •Electricity

Supplier: Private & Cooperative

Company: Empire District Electric Company

110 E. Jefferson

Bolivar, Missouri 65613

For rate information, phone (417) 326-5221

Cooperative: Southwest Electric Cooperative

1023 S. Springfield

Bolivar, Missouri 65613

For rate information contact: Jerry Divin, (417) 326-5244

### •Other fuel distributors

#### Fuel oil

Carl White Oil Co., (417) 326-4825

Jump Oil Co., (417) 326-4523

#### LP Gas

Doke Propane, (417) 326-6111

All Star, (417) 326-4305

Ozark Mountain Propane, (417) 777-5965

Natural gas and coal fuel sources are not available.

## HEALTH SERVICES



Bolivar boasts one of the most progressive and well integrated rural health systems in the country. At the center of the health care system is Citizens Memorial Hospital, recently named one of the top ten small and rural hospitals in the nation. As well, the hospital's Chief Executive Officer, Donald I. Babb, was the recipient of the Missouri Hospital Association's highest award, the Distinguished Service Award, for the system's commitment to improving access to quality health care in its rural service area. CMH opened in 1982 after an election confirmed community support for the public hospital district. The Citizens Memorial system includes the 74-bed hospital which provides many services including The Birth Place, Parkview Geriatric Wellness Center, a level III emergency and trauma center, general medical/surgical services and intensive care services, home health care and hospice, outpatient surgery and clinics, cardio-pulmonary rehabilitation, speech, physical and occupational therapies, Citizens ADVANTAGE Health Maintenance Organization, and ambulance services.

The Citizens Memorial clinic network includes six certified rural health clinics and a number of family practice and specialty clinics in and around Bolivar. The Medical Staff represents a diverse array of specialties including family medicine, obstetrics and gynecology, internal medicine, urology, orthopedic and general surgery, neurology, anesthesiology and pain management, emergency medicine, ophthalmology, psychiatry and radiology.

The not-for-profit Citizens Memorial Health Care Foundation provides health care services including three long term skilled care facilities, outpatient and inpatient rehabilitation programs through these facilities, a residential care center, independent living apartments, home medical equipment and a personal care/housekeeping service. For more information about any of the Citizens Memorial Services, call the Community Relations Office at 417-326-0406.

## CLIMATE

•**Temperature:** Normally, the coldest month in the Bolivar area is January with an average temperature of 32 degrees while July is the hottest with an average temperature of 79 degrees.

•**Precipitation:** January is also the driest month, with average precipitation of 1.6 inches. June is the wettest month, with 4.9 inches average rainfall. The average annual rainfall is 39.7 inches for the area; the average annual snowfall, 15.7 inches.

## TRANSPORTATION

•**Bolivar Airport:** A new, hard surface 3,500-foot runway has recently been completed approximately 3 miles east of the city on Mo. 32. It includes a full-service, fixed-base operation, including fuel service, aircraft maintenance, flight instruction, charter service, pilot supplies, food and other related services. Permanent T-Hangars and tie downs are also available. Pro Flight: 417-777-6816.

•**Air:** The nearest commercial airport, Springfield Regional, has a 7,003-foot, hard-surface runway offering commercial



air transportation in Springfield, 26 miles away. Private aircraft storage, air freight services and fuel are available there.

•**Travel agency:** Coleman Travel, Phone (417) 326-2979, or toll free 1-800-233-2671.

•**Motor carrier:** Package delivery service and highway bus service are available in Bolivar. Mo. 32 and Mo. 13 highways intersect in Bolivar. Mo. 13 provides access to U.S. 54, 22 miles to the north, and four-lane access to Interstate 44, 26 miles to the south.

•**Motor freight carriers:** Springfield Nevada, Yellow Freight, Jones Trucking, Roadway, Hermitage Express and Bolivar Express.

### •Distance to major metropolitan areas:

City	Miles	Days/Rail	Days/Mot. Fr.
Atlanta .....	700	4	2
Chicago .....	510	3	2
Dallas .....	455	3	1
Kansas City .....	150	2	1
Memphis .....	315	2	1
St. Louis .....	210	2	1
Branson .....	60		
Springfield .....	26		

## AGRICULTURE

Polk County ranks in the top five in Missouri in beef cattle, dairy cattle and hay production. The area is also one of the nation's top producers of fescue seed.

Much of Polk County's 407,000 acres comprises 1600 farms with 25% of the acreage for crops, 25% for pasture and 25% for woodland/pasture with another 25% unused for any major type of production.



## BOLIVAR COMMUNITY PROFILE

### POPULATION

	1998	1990	1980	1970
City	8,219	6,845	5,919	4,769
County	25,895	21,826	18,822	15,415

### TAXES

Assessed value of city property: \$39,097,369  
Basic property tax levy for latest year  
(per \$100 assessed value):

City (As of 1/1/99) .....	\$0.00	Sales Tax	
School .....	\$3.19	City .....	.01500
State .....	\$0.03	County .....	.00500
Other .....	\$0.72	State .....	.04225
<b>Total</b> .....	<b>\$4.49</b>	<b>Total</b> .....	<b>.06225</b>

### LOCAL DEVELOPMENT ORGANIZATIONS

#### Economic Development:

##### •City of Bolivar

Contact persons: Charles Ealy, Mayor  
Terry Helton, City Administrator  
City Hall, 345 S. Main, P.O. Box 9  
Bolivar, Missouri 65613  
(417) 326-2489

##### •Chamber of Commerce

Office Manager: Diana Leslie  
454 S. Springfield  
P.O. Box 202  
Bolivar, Missouri 65613  
(417) 326-4118 / FAX (417) 777-9080

##### •Industrial Development Authority

Contact person: L.D. Silvey  
(417) 326-4303 / 326-2477

### GOVERNMENT

#### •Legislative Districts

Bolivar and Polk County are located in the 28th Missouri Senate District, the 145th Missouri House District and the Seventh United States Congressional District.

#### •Local Government

The City of Bolivar is operated by a mayor/council form of government with a city administrator. Zoning is a part of comprehensive city planning, although Polk County is not zoned. Bolivar employs a Director of City Services and Engineering and has a bonded Industrial Development Authority.

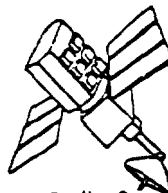
Thirty-two paid volunteers comprise the city fire department. The fire insurance rating in the city is "6"; outside the city, "9."

Bolivar employs 14 full-time policemen; the county employs 16 on a full-time basis.

### COMMERCIAL SERVICES

#### •Financial

Six banks operate in Bolivar with combined assets of more than \$250,000,000.



#### •Communications

ALLTEL Telephone Company, with 100% digital facilities, offers equal access capability.

A weekly newspaper, The Bolivar Herald-Free Press, serves the area. (417) 326-7636

Radio Station KYOO AM broadcasts from Bolivar. (417) 326-5257.

Television viewers receive five off-air channels. Another 18 channels are available by cable T.V. satellite.

Post office classification: 1st Class, Level 20.

#### •Industrial

Twenty-one machine shops are located within 30 miles of Bolivar. Two shops within that radius offer tool-and-dye services. Nine establishments within 30 miles offer electric motor repair.

A variety of other industrial services are available in the Springfield area.

#### •Community Facilities

Two motels are located near Bolivar with a total of 105 rooms. The largest banquet room in the area, with a capacity of 511, is located on the campus of Southwest Baptist University.

A public library in Bolivar houses 118,715 volumes.

City churches include 16 of the Protestant faith, 1 Catholic, and 1 listed as "other."

Bolivar is served by five shopping centers, offering a variety of goods and merchandise.

### UTILITIES

#### •Water

Supplier ..... City of Bolivar  
345 S. Main  
Bolivar, Missouri 65613

Rate schedule: ..... Minimum \$6.00 per 2,000 gallons

City water source: 5 wells.

Treatment: Chlorination.

Capacity of supply: 3.5 million gallons per day.

Present load of plant: 0.8 million gallons per day.

Peak consumption: 3.5 million gallons per day.

Storage capacity: 450,000 gallons.

*Bolivar's water supply is approved by the Department of Natural Resources.*

#### •Sanitation

Treatment: Two Oxidation Ditches

Operator: City of Bolivar

Capacity of supply: 1.05 million gallons per day

Present load of plant: 0.8 million gallons per day

Rate schedule: 50% of monthly water bill; \$8.00 minimum

*The plant is certified by the state.*

*For water and sanitation rate information, contact:*

City Hall (417) 326-2489

## Attachment C

# The MIT List of Radio Stations on the Internet

## Radio Locator Search Results



There are 2 radio stations within close listening range of  
Wheatland, Missouri. (37° 56' 46.0" N., 93° 24' 3.0" W.)

**Info:** Click on this icon to get more information about a station or to submit a change.

**Bitcaster:** Indicates that the station broadcasts its audio on the internet.

Distances to the stations are in miles.

Info	Call Sign	Frequency	Dist.	City	School	Format
	KCVJ	92.3 FM	11.59	Oswego, MO		Unknown Format
	KYOO	99.1 FM	14.87	Half Way, MO		Unknown Format

### Try another search:

Click on the help icons for additional information about a search term.

#### 1. Enter your city: (United States only)

City:  State (optional) :

#### 2. Choose which types of radio stations to find:

☐ AM Only ☐ FM Only ☒ AM and FM

☒ Licensed Stations

☐ Construction Permits

☐ Unlicensed Stations

☐ FM Translators

☐ FM Booster Stations

Station Format:

#### 3. Choose a reception range:

☒ Local Stations Only

☐ Include Distant Stations

☐ Include Fringe Stations

☐ Find stations within:  miles of your location.

Frequency:

Sort by:



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**[Return to the MIT List of Radio Stations on the Internet](#)**

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**[Questions?](#)**

**9:24**

BEFORE THE  
**Federal Communications Commission**

WASHINGTON, D.C.

In the Matter of

Amendment of Section 73.202(b)  
Table of Allotments  
FM Broadcast Stations  
(Osceola and Sedalia, Missouri)

)  
)  
)  
)  
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)

MM Docket No. 99-299  
RM-9687  
RM-9813

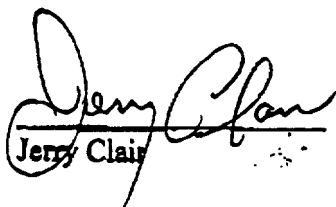
**DECLARATION UNDER OATH**

I, Jerry Clair, hereby declare as follows:

1. I contacted the Wheatland City Hall in an attempt to secure information regarding Wheatland;
2. I was advised that residents of Wheatland commute to Bolivar, Missouri to work and to shop and that radio stations from Springfield, Missouri are received in Wheatland;
3. I was not able to secure any printed materials from City Hall which describe the interrelationship between Wheatland and Bolivar;
4. As a result of my conversation with the Wheatland City Hall, however, I contacted the Bolivar Chamber of Commerce and received the materials attached to the Opposition to Counterproposal which provide the Community Profile;
5. These materials substantiate the comments of the Wheatland City Hall in that they establish that numerous businesses and other organizations which residents of Wheatland would likely utilize are located in Bolivar.

I have reviewed the foregoing Declaration and the statements contained therein are true and correct to the best of my knowledge, information and belief.

Respectfully submitted,


  
Jerry Clair

**CERTIFICATE OF SERVICE**

I, Karleen Lamie, a secretary in the law firm of Fisher Wayland Cooper Leader & Zaragoza L.L.P., hereby certify that, on this 11th day of February, 2000, I caused to be served by first class U.S. mail, postage prepaid, copy of the foregoing **"Opposition to Counterproposal"** on the following:

\*Ms. Kathleen Scheuerle  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20054

Harry C. Martin, Esq.  
Fletcher, Heald & Hildreth, P.L.C.  
1300 N. 17th Street, 11th Floor  
Arlington, VA 22209

  
\_\_\_\_\_  
Karleen Lamie

\* Via hand delivery